

**THE SECOND AMENDED INTERLOCAL AGREEMENT FOR
PUBLIC SCHOOL FACILITY PLANNING
STAFF WORKING GROUP MEETING**

Final Minutes
May 7, 2015
9:30 a.m. – 11:30 a.m.

City of Plantation, Development Services Building
401 NW 70th Terrace, 1st Floor Conference Room
Plantation, Florida 33317

1. Call to Order and Roll Call

Chair Eichner called the May 7, 2015 Staff Working Group (SWG) meeting to order at 9:40 a.m. Linda Houchins took roll call, and the following members were in attendance:

Barszewski, Maggie	City of Pompano Beach
Buckeye, Rick	City of Oakland Park
Davis-Hernandez, Tanya	City of North Lauderdale
Dokuchitz, Peter	City of Plantation
Eichner, Shelley	Cities of West Park and Weston
Jefferson, Althea	City of Hallandale Beach
Johnson, Ann	City of Tamarac
Kalus, Evy	Broward County
Lajoie, Corinne	City of Dania Beach
Lodge, Thomas	City of Fort Lauderdale
Marks, Scott	Town of Pembroke Park
Michael Alpert	City of Miramar
Pinney, Andrew	City of Margate
Smith, Garrett	City of Deerfield Beach
Stoudenmire, Scott	City of Coconut Creek
Swanson, Eric	City of Parkland and Town of Southwest Ranches
Swing, Bradley	City of Sunrise
Teetsel, Dawn	Broward County Planning Council
Wight, Lisa	Broward County School Board
Williams, Sharon	City of Pembroke Pines
Wingett, Andria	City of Hollywood
Wood, Matthew	City of Cooper City

Others in attendance at the meeting were as follows:

Messier, Derek	Broward County School Board
Welker, Randy	City of Wilton Manors

2. Addition(s) to the May 7, 2015 Agenda

There were no additions to the May 7, 2015 agenda.

3. Approval of the Final Agenda for the May 7, 2015 Meeting

Sharon Williams made a motion to approve the final agenda for the May 7, 2015 meeting. Rick Buckeye seconded the motion, and the motion passed unanimously.

4. Approval of Minutes from the March 5, 2015 Meeting

Sharon Williams made a motion to approve the minutes from the March 5, 2015 meeting. Lisa Wight seconded the motion, and the motion passed unanimously.

5. Subcommittee Reports (None)

6. Old Business

6.1 Feedback from the April 8, 2015 Oversight Committee Meeting

Chair Eichner gave feedback from the April 8, 2015 Oversight Committee meeting and said that much of the discussion had centered around a difference of opinion regarding the use of the Hardship School Concept (HSC) between the School Board cadre attorney, who felt that the HSC could be continued without amendment of the Amended Interlocal Agreement (ILA) and the Deputy County attorney, who felt that the HSC could not be continued if the ILA is not amended. Ms. Wight said that when the Level of Service Standard (LOS) reverts back to 110 percent of permanent capacity in school year 2019/20, the HSC would allow certain schools to continue to use 100 percent of gross capacity under certain circumstances, and the County attorney said that when the LOS reverted back to permanent capacity, the HSC could no longer be used. Chair Eichner said there had been no resolution at the meeting, but that the Oversight Committee had asked that the School Board cadre attorney and the Deputy County attorney meet again and try to resolve their issues. She stated that the attorneys had met, but there had been no resolution.

Chair Eichner said that the Oversight Committee had been very interested to hear the SWG recommendations, and she advised them that as a group, the SWG could not give their recommendation because they had more questions than answers, and had requested additional information. She said that the Committee was appreciative and was looking forward to the SWG recommendation. Chair Eichner said that Ms. Wight had emailed the additional information requested by the SWG. She said that the Oversight Committee had questions regarding the bond money and how many classroom additions would be added at various schools in the community, and whether the permanent classroom additions would be a one for one swap with relocatable capacity. Chair Eichner advised that she had emailed Leslie Brown, Chief Portfolio Services Offices asking that a representative from the Office of Facilities and Construction attend the SWG meeting to answer those questions. She said that Ms. Brown had advised her that Derek Messier, Chief Facilities Officer would attend.

6.2 New Collocation Facilities

The Municipalities had no new collocation facilities to report.

6.3 Status – Broward County and Municipal Comprehensive Plans and Land Development Codes/Regulations

Ms. Wight said that there were six Municipalities who had not completed their Comprehensive Plan and Land Development Regulations (LDR), which included the four Municipalities that did not sign the Second Amended ILA and Miramar and West Park. She stated that one of the School Board

members had asked what was being done to improve the violation. Ms. Wight said she had reached out to the City of West Park, and Ms. Eichner had advised that the city was waiting to see what would happen with the Third Amendment to the ILA. The City of Miramar advised that they would work towards amending their Comprehensive Plan and LDR.

6.4 Update on Broward County and Municipalities Evaluation and Appraisal Report

There was no discussion on this item.

6.5 Third Amendment of the Amended Interlocal Agreement for Public School Facility Planning

Chair Eichner opened the floor for discussion and input on the Third Amendment to the ILA. Ms. Wight stated that she had brought a copy of the report showing how the School District bond money would be spent for the SWG members to review if they wanted. She advised that the District had designated bond money to build capacity additions at Falcon Cove Middle, Flanagan High, and Cypress Bay High Schools. She said that the only reason those capacity additions are able to be built is because the District would be using local money. She said that two of those schools meet the criteria for Hardship Schools and that by increasing the capacity at those schools, the hardship would likely disappear. Chair Eichner said that classroom additions as a replacement for portables, would impact only the Cities of Pembroke Pines and Weston and that all other Municipalities would not be getting any bond money to fund any new classrooms. Ms. Wight confirmed Chair Eichner's statement. Chair Eichner thanked Mr. Messier, Chief Facilities Officer for his attendance at the SWG meeting. She asked him how many classrooms the Cities of Pembroke Pines and Weston would be getting. Mr. Messier advised that the classroom additions are based on the number of classrooms in use in the portables at the present time, and would be a classroom for classroom swap. Chair Eichner asked if it was correct to state that there would be no net decrease in school capacity at the three schools, and Mr. Messier said that was correct.

Chair Eichner stated that the charge of the SWG was to make a recommendation on the Third Amendment to the Oversight Committee. She asked what kind of feedback the members had received from their Municipalities. Mr. Buckeye asked whether in the 2019/20 school year there were still schools listed as a hardship. Ms. Wight said that there are two schools (Falcon Cove Middle and Cypress Bay High) that have overages where there is not an adjacent school that has anticipated excess capacity to relieve the overages. She said that because they will be getting permanent capacity additions through the bond money, the hardship provision will not be needed because the ILA states that during an expansion or replacement of capacity, portables may be used to meet LOS. Mr. Buckeye said that some of the eastern schools would be going down in student population and have much excess capacity and because the eastern schools are older than the schools in the west there is still a focus on dollars following students and that was a concern to his Municipality. Ms. Wight said that some of the eastern schools have portables which increases their capacity and other eastern schools that have no portables and by moving to a 100 percent gross capacity LOS it would reduce their capacity. She said that school concurrency is about whether or not there is enough capacity to approve development. She said that LOS as a growth management tool does not address what you do with the extra, which is a separate process that is being handled through the Portable Plan. Ms. Wight said that in the last several years, the District has embarked upon how portables would be removed which would remove capacity. She said that the District has been allocating more resources each year for the removal of portables through the Portable Plan.

Ms. Wight advised that once there was a consensus from the SWG and the Oversight Committee to

move the Third Amendment forward, the Amendment would go to the School Board for approval. She said that within one or two months from that date, it would go to the County for approval, and then, based on the experience with the last ILA amendment, there would be an approximately ten month process for taking it to all of the Municipalities. Ms. Wight stated that School District staff would make themselves available to each Municipality.

Chair Eichner said that the current ILA came about as a result of past growth management laws, and that things have changed and school concurrency as a matter of law, is no longer required. She asked that if the ILA were amended in such a way that all of the school concurrency requirements and the LOS requirements were removed, what would be left that was mandated and required by state law. Ms. Wight read what is required by state law, and said that if all school concurrency requirements were removed from the ILA, the District would return to the process they had prior to school concurrency when staff evaluated for school capacity and prepared mitigation agreements at the Land Use level versus waiting for the plat and site plan level.

Chair Eichner stated that the following options are available to the SWG in regard to making a recommendation to the Oversight Committee:

- 1) Move forward with the Third Amendment to the ILA as proposed
- 2) Make an amendment to the Third Amendment as proposed to incorporate the items in the Interpretation Document
- 3) Move forward with the Third Amendment, but remove all of the LOS and school concurrency requirements and allow the ILA to mirror what is required by state law
- 4) Do nothing and do not amend the ILA

Rick Buckeye made a motion to adopt option number 1. Sharon Williams seconded the motion. Discussions followed regarding the Interpretation Document and the timeline to complete the Third Amendment process. A vote was taken and the motion to move forward with the Third Amendment to the ILA as proposed was passed with one no vote from the City of Weston.

7. New Business

7.1 Annual Interlocal Agreement Report Committee

Chair Eichner advised that last year the following SWG members had been on the Annual ILA Report Committee: Lisa Wight, Evy Kalus, Sharon Williams and Tanya Davis-Hernandez. They agreed to serve on the Subcommittee again, and Althea Jefferson also volunteered to be on the Subcommittee.

8. Next Staff Working Group Meeting

8.1 June 4, 2015 (Regularly Scheduled Quarterly Meeting)

Ms. Wight advised that the May 7, 2015 SWG meeting would take the place of the June 4, 2015 meeting. Chair Eichner stated that the next SWG meeting would be September 3, 2015, but that the State Planning Conference was also on that date, and they would have to work on a different date for the SWG meeting. Peter Dokuchitz volunteered to have the next meeting at the City of Plantation.

Ms. Wight thanked the City of Hollywood for its attendance at the SWG meeting. She also stated that she would develop a new timeline for the Third Amendment of the ILA.


9. Adjourn

Chair Eichner adjourned the meeting at 10:16 a.m.

Respectfully submitted by:



Shelley Eichner, Chair



Linda Houchins, Recording Secretary